IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SMT. JUSTICE T. MEENA KUMARI

WRIT PETITION NO : 5341 of 1995

Between:

1. Singanna Pulla Reddy, S/o. Seshaiah
2. Singanna Pedda Sesha Reddy, S/o. Seshaiah
3. Singanna Chinna Sesha Reddy, S/o. Seshaiah
4. K. Rajagopal Reddy, S/o. Goopi Reddy
5. Mummadi Narasamma, W/o. Venkata Reddy
6. Singanna Yellaih, S/o. Yellaiah
7. Mamidi Nagaiah, S/o. Seshaiah

(all are residents of Malinenipatnam village, Atloor Mandal, Cuddapah District)

..... PETITIONER

AND

The Special Deputy Collector, Land Acquisition, Unit IV, Rajampet,
Cuddapah District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ or order directing the respondent to refer the matter to the Court under section 18 of the Land Acquisition Act for fixing the Market value by the Court in respect of the Land of the Petitioners in Malinenipatnam Village, Atloor Mandal, Cuddapah District Covered by Award No. 2/89-90 dated 19.12.1989 passed by the Respondent.

Counsel for the Petitioner:MR.K.SOMA KONDA REDDY

Counsel for the Respondents: G.P. for Land Acquisition.

The Court made the following ORDER:

This writ petition is filed seeking *mandamus* directing the respondent to refer the matter to the Court under Section 18 of the Land Acquisition Act (for short 'the Act') for fixing the market value of the land of the petitioners in Malinenipatnam village, Atloor Mandal, Kadapa District.

The facts that led to filing this writ petition, in brief, are as follows:

The Government, after following the due procedure prescribed under the Act, acquired the lands of the petitioners situate in Malinenipatnam village and the respondent accordingly passed Award No.2 of 1989-90 on 19.12.1989. In pursuance thereof, the petitioners were paid the compensation. Challenging the inadequacy of the compensation, the petitioners submitted applications to the respondent to refer the matter to the competent civil Court under Section 18 of the Act. But for the reasons best known to him, the respondent did not refer the matter to the Court. Hence, this writ petition.

Learned counsel for the petitioners submits that despite the repeated

representations made by the petitioners to the respondent to refer the matter to the civil Court, the respondent failed to take necessary steps.

Heard learned counsel on either side.

Having perused the material available on record, it is seen that the respondent passed the Award No.2 of 1989-90 way back in the year 1989. Since the petitioners chosen to file the writ petition at a belated stage i.e. nearly after a period of six years of passing the Award, the writ petition needs no interference of this Court and it is liable to be dismissed on that ground alone.

The writ petition is accordingly, dismissed. No costs.

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T. Meena Kumari, J

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To

1. The Special Deputy Collector, Land Acquisition, Unit IV, Rajampet, Cuddapah District.

2. Two CCs to G.P. for Land Acquisition, High Court of A.P. Buildings, Hyderabad(OUT)

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